



PTO/SB/21 (01-08)

Approved for use through 04/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 3

Application Number ~~10/670,740~~ **10/687748**

Filing Date 10/20/2003

First Named Inventor Abe Nishiki

Art Unit 3734

Examiner Name Christina D. Gettman

Attorney Docket Number

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Clyde I. Coughenour		
Date	April 16, 2008	Reg. No.	33,083

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Clyde I. Coughenour	Date	April 16, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



zfw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/687,748
Applicant : Abe Nishiki
Filed : 10/20/2003
TC/A.U. : 3734
Examiner : Christina D. Gettman
Customer No. : 51702
For : A PLIERS-LIKE TOOL FOR CURING PHIMOSIS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APR 18 2008
16607 SUTTON PLACE
WOODBRIDGE, VA 22191-4627
(703) 221-8677


RESPONSE

Sir:

This is a response to the Examiner's allegation, in a paper mailed 3/28/2008, that the claims on appeal were not listed on page 6, under iii.

Please replace page 6 with "substitute Page 6" wherein the claims on appeal are clearly set forth.

Respectfully submitted


Clyde I. Coughenour
Reg. No. 33,083

Clyde I. Coughenour
16607 Sutton Place
Woodbridge, VA 22191-4627
(703) 221-8677



iii. Status of Claims

Claims 1-19 are present in this application.

Claims 1-16 are rejected and are being appealed herewith.

More specifically the claims appealed from are:

Claims 1, 2 and 11 are rejected under 35 USC 102(b) as being anticipated by Cox, U.S. 4,754,746.

Claims 3 - 8 and 12 are rejected under 35 USC 103(a) as being unpatentable over Cox in view of Ping, U.S. 6,116,124.

Claim 9 is rejected under 35 USC 103(a) as being unpatentable over Cox in view of Schenk, U.S. 4,257,406.

Claim 10 is rejected under 35 USC 103(a) as being unpatentable over Cox in view of Schenk and Tiedemann, U.S. Publication No. 2003/0233119.

Claims 13 - 15 are rejected under 35 USC 103(a) as being unpatentable over Cox in view of Tillier, U.S. 1,477,786.

Claim 16 is rejected under 35 USC 103(a) as being unpatentable over Cox in view of Roux, U.S. 4,124,929.

Claims 17 - 19 are withdrawn and not appealed herewith.

Claims 17 - 19 are withdrawn from consideration under 37 CFR 1.142(b) as being drawn to a non-elected invention.